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THE HUMBLE
Representation and Petition
OF SOME
Ministers and Elders,
TO THE VENERABLE
ASSEMBLY
OF THE
Church of SCOTLAND,
Met at Edinburgh, May 4th, 1732.
Anent GRIEVANCES.



Printed by THOMAS LUMISDEN and JOHN ROBERTSON. 1732.

БЕЗОДНЯ ВІКТОР

ОНОВЕ

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Unto the very Reverend, The Moderator
and remanent Reverend and Honourable
Members of the General-Assembly of
the Church of *Scotland*, met at *Edin-*
burgh the 4th of *May* 1732 Years;

The Representation and Petition of the
Ministers and Elders under-subcribing,

Humbly Sheweth,



H A T we being much weighted and aggrieved with several Things in the present State of our Mother-Church of *Scotland*, and having for some Time long'd and look'd for Redress (for which the ordinary Means have been used without Success) and now, with deep Concern, observing, that, instead of obtaining Redress, our Grievances are increasing daily; we find ourselves obliged, in Duty to God and his Church, and for our own Exoneration, to lay before this venerable Assembly the following Grievances, with such Remedies as occur to us, humbly begging you may be pleased to take the same into serious Consideration, and give such Orders thereanent, as in your great Wisdom shall be found most proper for Redress thereof.

Item, Whereas several grievous Encroachments have been made on the legal Rights of this Church, and contrair to our known Principles, since

the Union of the two Kingdoms, specially towards the latter End of Queen Anne's Reign, thro' the Influence of Persons, no less dissaffected to the Protestant Succession, than to the Church of *Scotland*; particularly (1^{mo.}) By imposing the Sacramental Test, and Conformity to the Hierarchy, Liturgy and Ceremonies of the Church of *England*, upon the Members of this Church, while serving her Majesty in *England* or *Ireland*. (2^{do.}) By establishing an almost boundless Toleration in *Scotland*, whereby Error, Superstition and Prophaneness are much encouraged, and the Discipline of this Church greatly weakened, by withdrawing the Concurrence of the Civil Magistrate. (3^{to.}) By restoring the justly abrogated Right of Presentation to Patrons, subversive of the Right of Election belonging to Christian Congregations by the Word of God, and the Constitutions of this Church. (4^{to.}) That Addresses from this Church, offered in Queen Anne's Reign to the House of Peers, were not received, because not directed to the Lord *Spiritual*; which, not being agreeable to our known Principles and reserved Rights, will, if insisted on, preclude the Judicatures and Members of this Church from addressing that honourable House, even upon the most pressing Occasions. (5^{to.}) The Form of Swearing introduced from *England* into some Courts in *Scotland*, by laying their Hands upon and kissing the Gospels; which is an Innovation in that solemn Piece of Worship, and not agreeable to the Scripture-Pattern, but superstitious, and justly offensive. Now, altho' several Presbyteries and Synods (especially after King George the First his happy Accession to the Throne) have, by their Instructions, often desired, that the General Assembly might address his Majesty and Parliament for Redress of these and other Grievances; yet, ever since that happy Period, this has been delay'd, to the great Prejudice of this Church, as we apprehend. 'Tis true indeed, the General Assembly 1715 did approve of a Memorial prepared by the Commission of the preceding Assembly, representing several of the above-mentioned Grievances, and appointed it to be sent to the Secretary of State: They have also addressed the King on other Heads, and have frequently transmitted Congratulatory Addresses; but it doth not appear that ever any Address has been sent by the Assemblies of this Church, either to our present gracious Soveriegn, or his Royal Father of blessed Memory, for redressing the foresaid Grievances: Nor have any Petitions thereanent been offered to the Parliament during all that Period, altho' it is evident, that most of the above Grievances cannot be removed without the Parliament. We therefore humbly move, That this venerable Assembly may be pleased to prepare such Addresses and Petitions to the King and Parliament, on theforesaid Heads, and also against that heavy Grievance of *Papery*, which still continues, as you shall judge most proper, for obtaining Redress; and appoint fit Persons to present and prosecute the same, in the Name of this National Church, not leaving

leaving it to the Commission. As this appears necessary for the Exoneration of this Church, so we are hopeful it will not fail of the desired Success, when we have such a gracious Sovereign upon the Throne, who has solemnly engaged inviolably to maintain and preserve the Settlement of the true Protestant Religion, with the Government, Worship, Discipline, Right and Privileges of the Church of Scotland as established by the Laws made there, in Prosecution of the *Claim of Right*; and particularly, by an Act, intituled, *Act for securing the Protestant Religion, and Presbyterian Church-Government*; and by the Acts past in the Parliaments of both Kingdoms, for Union of the Two Kingdoms: And likewise, when this present Parliament is far more friendly than that which, in the latter End of Queen Anne's Reign, brought upon this Church some of these Grievances under which she presently groans. And that this our Desire is agreeable to Law, appears from the *Claim of Right*, which allows private Persons, much more the established Church, humbly to petition the King and Parliament, for repealing of such Laws as are grievous to them, and prejudicial to their just Rights.

2d^o, Altho' this Church (through the Mercy of God) has been famous for Purity of Doctrine, ever since the Reformation; yet gross and dangerous Errors have been lately vented therein, and that by a Professor of Divinity, Mr. John Simson, in teaching his Students, as has been found evidently proven by the General Assemblies 1727, 1728, in the following Articles, 1^{mo}, The Professor's denying the necessary Existence of our Lord Jesus Christ, in teaching his Students. 2^{do}, His teaching his Scholars, That the necessary Existence of our Lord Jesus Christ was a Thing we know not. 3rd, His teaching, That the Term *necessary Existence* was impertinent, and not to be used in talking of the Trinity. 4^{to}, His teaching, as his own Opinion, That the Three Persons of the Trinity are not to be said to be numerically One, in Substance or Essence. 5^{to}, His teaching, That the Terms *necessary Existence*, *supreme Deity*, and the Title of *The only true God*, may be taken, and are by some Authors taken, in a Sense that includes the personal Property of the Father, and so not belonging to the Son: And that, tho' he said, that *necessary Existence*, *supreme Deity*, and the Title of *The only true God*, might belong to the Son, in such a Sense as included not the Personal Property of the Father; yet he told not what that Sense was, but, without doing so, he inculcated the foresaid Distinction, as a Caution that might be necessary for Students, in reading both ancient and modern Authors, whether Friends or Adversaries to the Truth: For which Errors he stands censur'd by the General Assembly, tho' not to that Degree which most Presbyteries by their Instructions, and many Members of Assembly, judged he deserved; with whom we concur in our Sentiments. And it being also evident, from the printed Report of the Assembly's Committee for

Purity

Purity of Doctrine, That the said Professor *Simson* has contraveened the Act of Assembly 1717, and taught the Opinions and Hypotheses thereby discharged to be vented; yea, several dangerous Errors contain'd in the second Libel drawn up against him, tried and found proven by the said Committee: And it is to be feared, that many of the Students and others may be too far infected with his Errors. We therefore, upon the Whole, beg Leave humbly to move, That a *Solemn Warning* may be emitted by this venerable Assembly against his Errors, and others, which too many in this Land may be tainted with, and in Danger of, by Prints spread therein, contrary to the Word of God, our excellent Confession of Faith, and solemn Engagements.

3rd, It being the undeniable Right of Christian Congregations to have the free Choice of their own Pastors, and their Call and Consent being necessary to found the Pastoral Relation betwixt Gospel-Ministers and such Congregations, according to the Word of God, Books of Discipline, Acts of the General Assembly, and the concurring Suffrages and unanswerable Arguments of the most eminent Divines both at home and abroad, whose Writings are well known to this Venerable Assembly: It is therefore a heavy Grievance to us, and to many mo of the Lord's Servants and People through the Land, to see and hear of the open Encroachments made on the Church's just Rights, especially by imposing and forcing in Ministers on several Christian Congregations, not only without their Call, but in direct Opposition to their declared Mind, and strongest Remonstrances, and so *dissentiente & renitente Ecclesia*; and that (not to mention what has been done in some inferior Courts) even by Sentences of the Commissions of the General Assembly, not only where Presentations were insisted on, but also where the Right was fallen into the Hands of Presbyteries, and that without the Consent and against the Mind of Presbyteries or Synods immediately concerned, as is notorious in the late Cases of *Hutton*, *Balphorn*, *West-kirk*, and *Kinross*, and several other Instances which we forbear to mention. But we beg Leave to add, that such Proceedings appear to us highly prejudicial to the just Rights of Christian Congregations, and radical Judicatories, and inconsistent with the professed Principles of this Church, yea, with the limited Commissions and Instructions given by General Assemblies to their Commissions; and of dangerous Consequence, not only in the Cases specified, but in many others, seeing they may be impreved as Precedents, and have too visible a Tendency to grieve many of God's People, alienate their Affections, cause Divisions, pave the Way for introducing in all Corners of the Land a Ministry utterly unacceptable, and so not fit to edify and rule the Flock of Christ, and to wreath the heavy Yoke of Patronage about the Church's Neck, and strengthen the Hands of Enemies, who may design to model the Church, according to their own Mind, and bring

bring in a corrupt Time-serving Ministry into it, to serve their carnal political Interests, and to ruine the covenanted Work of Reformation, mercifully established in this Church. And indeed such Settlements, contrary to the Mind of Christian Congregations, are the more offensive, when it is remembred, that the Intrusion of Ministers on Congregations was one of the heavy Grievances justly complained of, under Prelatical Persecution ; and that the Convention of Estates and Parliament, at the happy Revolution, expressed so great Regard to the Inclinations of the People, in abolishing Prelacy, and settling Presbyterian Church-government, and also in their Acts anent calling of Ministers to vacant Churches, and abolishing the Patron's Right of Presentation, subversive of the People's just Right of Election : Wherefore we humbly beg, this Venerable Assembly may seriously consider the Premisses, and disapprove, yea, repeal such of these Deeds as may come regularly before them ; and, with all due Respect to Heritors well-affected to Church and State, discharge in Time coming all Settlements of vacant Congregations without the Call and Consent of the Elders and Christian People thereof, and apply timeously such other Remedies for the Cure of the dangerous Maledies above pointed at, as, in their great Wisdom, shall be judged most proper and effectual.

4to, Whereas, of late, some Settlements have been ordered on Calls not supervised or sustained by Presbyteries, yea, on some attested only by Notars-Publick, and the Commission has appointed Committees to try and ordain Ministers for vacant Congregations, not only without the Concurrence and Consent of Presbyteries and Synods concerned, who have best Right, and are ~~best~~ to judge therein, but in direct Opposition to their Mind ; and that in such Haste, as to prevent Remedy by the ensuing Assembly's just Decision, in Causes coming regularly before them, by Protestation and Complaint of Parties : It is therefore humbly moved, for preventing the like Evils, that the General Assembly declare and enact, That no Call shall be sustained, but that which is moderated in, and attested by, Order of Presbyteries ; nor Subscriptions admitted, but those made or verified by the Subscribers before the Ministers appointed to moderate, or the Presbytery itself. And that, if Commissions or Synods in Time coming shall appoint Committees or Correspondents, to try or ordain Ministers without Consent of the Congregations and radical Courts immediately concerned, the said Committees or Correspondents shall be discharged to proceed till the Assembly give their Judgment, in Case the Causes are listed before the Assembly by Complaint or Appeal.

5to, It being evident from the printed Index of the Acts of Assembly 1724, that it was referred to the Commission to consider what is proper to be done as to Ministers or Probationers who shew a Willingness

to accept of Presentations from Patrons, and to propose an Overture hereupon to the next Assembly: And, nothing having been yet done herein, tho' that Grievance, not only continues, but increases; and the good Effect of the Amendment made in the Patronage-Act, *Anno 1719*, is like to be totally defeated, by Ministers and Probationers their accepting Presentations (contrary to our known Principles) without Calls from vacant Congregations, yea, long before any Meetings were appointed for chusing and calling Pastors; and some Judicatories, who have testified their just Displeasure against Presentees for their said unworthy and offensive Practice, instead of being supported (as might have been expected) were condemned by the Commission: It is therefore earnestly desired, that the General Assembly may seasonably interpose in the Way they shall judge most proper to give some effectual Check to such dangerous Practices of Ministers and Probationers of this Church, and that none be licenced or ordained that favour this Course.

6to, Concerning the seventh Act of Assembly 1730, discharging the recording Reasons of Dissent against the Determinations of Church Judicatories; As several Presbyteries and Synods did by their Instructions strongly remonstrate against it, and craved it might be repealed last Assembly, so we find our selves obliged here to represent, That the said Act appears to us inconsistent with the Act of Assembly 1644 concerning dissenting Voices, appointing Dissenters to urge their Dissents be marked in the Registers; and, if that be refused, that they protest, &c. For, as Reasons are a necessary Part of Dissents to be recorded therewith, so this Act 1644 seems plainly to require ~~Dissenters with their Reasons to be recorded~~; seeing the Dissents warranted thereby, are such as may evidence the Determinations dissented from, to be contrary to the Word of God, Acts of Assembly, or received Order of this Kirk; Especially, while it is declared in the said Act, That the Dissenters shall be censurable, if their Dissents shall be found otherwise: Wherefore the Reasons they judge necessary to justify their Dissents, according to that Act, and to secure them against Censure, must be recorded therewith, that superior Judicatories may be capable to judge, from the Register itself, if the Dissents be according to that Act, and whether the Dissenters be censurable or not: Yea, it is most just and reasonable, useful and necessary, in many Respects, that Dissents with their Reasons should stand recorded, as Testimonies against the Determinations which appear unwarrantable and of dangerous Consequence. And that this has been the common Sense of the Church of Scotland, further appears from many Dissents entered in the Registers of the several Judicatories of this Church, both in the Days of our worthy Ancestors, and since the happy Revolution: And 'tis so agreeable to the common Sense of Mankind, that the recording Dissents with Reasons has been generally allowed in Judicatories, not only Eccle-

Ecclesiastick, but Civil, yea, in the high Court of Parliament itself. And we beg Leave further to represent, That the Act of Assembly complained of was passed very irregularly, yea, in a direct Contradiction to two Acts of Assembly regulating the Manner in which standing Acts are to be passed; *viz.* The 9 Act of Assembly 1697, appointing, That, before any General Assembly of this Church shall pass any Acts, which are to be standing Rules and Constitutions to the Church, they be remitted as Overtures to the Consideration of the several Presbyteries, and their Opinion and Consent be reported by their Commissioners to the next Assembly, that they may pass the same into Acts, if the more general Opinion of the Church agree thereto; And also the Sixteenth Act of Assembly 1700, enacting and appointing, That, when any Thing of publick Concern and great Weight is proposed to the General Assembly to be past as Overtures or Acts, for a standing Rule to the Church, after the first Reading it be delayed until the next Day of the Assembly's Sitting, and ly on the Table to be seen and considered by all the Members: But it is undeniable, this Act complained of (tho' of very publick Concern and great Weight) was passed without consulting Presbyteries, and in the very Sederunt wherein it was first proposed, and that without voting; yea, so quietly and suddenly, that several Members present in the House knew not of it, till the Assembly was up: And, to conclude this Head, we beg Leave to add, That the depriving all the Ministers and Elders of this Church, at once, of Liberty in all Time coming of entring their Dissents with the Reasons thereof in the Church's Records, even upon the most urgent Occasions; a privilege belonging to them by the Light of Nature, the Word of God, Acts of Assembly, and immemorial Custom; and doing this so summarily and irregularly, at a Time wherein the present State and threatening Aspect of Affairs in our Church renders the Maintenance and Exercise of this Privilege more necessary and seasonable than at any Time before, since the happy Revolution: This, in our Opinion, has a very bad Appearance, and must prove a heavy and insupportable Grievance to many, if it be not speedily redressed. Wherefore we earnestly intreat this Venerable Assembly may be pleased to repeal the said Act, and restore the Office-Bearers in this Church to their just and ancient Privilege.

7mo, The Commission of late having repeal'd several Sentences of Synods, even when they had but a scrimp Quorum of Ministers, very much inferior to the Number of those who judged in the said Sentences; and, it being evidently disagreeable to Presbyterian Principles and Parity, that a greater Number of Ministers and Elders should be subjected to the Judgment and Authority of a lesser, (not to mention other Reasons) 'tis humbly moved, that Appeals from the Sentences of Provincial Synods be not referred in Time coming to the Determination of the Commission, but reserved for the Assembly's Decision, unless it be provided that the Commission's Sederunt exceed the Number of the Synod's, in Ministers as well as Elders, when they judge thereanent.

8vo, Whereas the Members of the Commission, when complained of to the General Assembly for Sentences which appear most unwarrantable and grievous, usually plead, That the Commission, being impowered finally to determine in the Matters committed to them, their Sentences cannot be repealed; which Plea, to the great Prejudice of the Church, and Offence of many, has frequently served as the grand Mean to obstruct the opening and repealing Sentences, contrary to the known Principles, Constitutions, and true Interest of this Church. A particular Instance whereof we have in the Settlement of *Hutton*, loudly complained of by Parties, and dissented from, first by some Members of Commission, and thereafter by several Members of the succeeding Assembly. And the General Assembly having, in their Acts appointing the Commission, expressly provided and declared, That in all their Actings they are to proceed according to the Acts and Constitutions of this Church, and do nothing contrary thereto, or to the Prejudice thereof: 'Tis therefore humbly moved, that the general Assembly may declare and enact, when ensuing Commissions are appointed, That if any of their Actings shall be found contrary to the Acts, Constitutions or known Principles of this Church, or prejudicial thereunto, not only the Members shall be condingly censured, but their said Acts shall be repealed, and declared void and null, as being beyond their Powers, and contrary to their Commissions and Instructions. And, for cutting off their pretended Plea against repealing the Commission's Sentences, wherein Parties have Interest, it be further declared and enacted, That, if ~~any Prosecution or Complaint be entered~~ against any of their Sentences, it shall be as effectual to summon and ~~sift~~ Parties before the ensuing Assembly, as an Appeal from a Sentence of a Synod is.

9tho, Whereas the Commission of the Assembly has a great Trust, and the Decision of the most important Affairs is frequently committed to them, and very much depends on the Part they act; and that this Court, if not duly regulated, limited, and looked to, may do great Hurt to this Church (of which sad Proofs are extant in the History of former Times) several Things concurring in the Constitution thereof to render it dangerous, such as, the great Distance of the Body of Ministers named in the Commission from the fixed Place of Meeting, the Smalnes of the Quorum of Ministers, being but twenty one; the great Number of Elders in the Commission never brought under the strict Engagements required of Ministers in the *Formula 1711*, (as is evident from the 4th Act of Assembly 1720) and for most Part residing at *Edinburgh*, yea, constant Members; As also, that the Sentences of the Commission are look'd on as final, and Deeds of the Assembly; and, when complained of, it is usually pled, they are irreversible: And therefore the General Assembly has, in great Wisdom, and most justly, not only clogg'd their Commission and Instructions with several Limitations since the Revolution, but also pass'd

several Acts requiring the diligent Attendance of Ministers from the several Presbyteries; and for further regulating, limiting, and trying the Proceedings of the Commission, and anent the Qualifications of the Members thereof: Yet, notwithstanding all these Precautions, it must be acknowledged they have been found guilty of Malverlations in several Instances, especially of late; Yea the last Commission seem to us herein to have outdone former Commissions, particularly in the Cases above-mentioned: Wherefore it is humbly mov'd, that these Acts already made may be strictly executed, and that further necessary Provisions may be added thereto, for remedying and preventing the Grievances arising and threatened by the exceptionable Proceedings of this Court; as, 1mo, That the 6th Act of Assembly 1705, appointing, that the whole Presbyteries within this National Church be equally represented in Commissions, and that their Representation be proportioned to the Number of Ministers in each Presbytery, be more punctually observed in Time coming, and that in Reference to Elders as well as Ministers; which is the more necessary, because it appears from the Acts nominating the Commission for the Years 1729, 1730, and 1731, (not to go further back) that the Elders exceed their full Proportion, allowing them one to two Ministers (whereas, by the 5th Act of Assembly 1694, they are allowed but one to three) *viz.* in the Number of sixteen *Anno* 1729, seventeen *Anno* 1730, and twenty three *Anno* 1731 (*salvo justo calculo*) And it will not be denied, that there is at least as great Hazard from supernumerary Elders, as Ministers, in the Commission, especially seeing so great a Part, of them reside at Edinburgh, where the Commission meets, and so might easily overpower Ministers, if so disposed, which yet we hope they are not. 2do, That the 6th Act of Assembly 1719, appointing that all Members of subsequent Commissions be qualified according to Acts of Assembly, particularly the ninth Act of Assembly 1718, before they act and vote as such, be duly observed: And the General Assembly 1722 in their ninth Act, expressly requiring Elders to be faithful in the Discharge of their Office, tender and circumspect in their Walk, punctual in their Attendance on Ordinances, strict in their Observation of the Lord's Day, and in regularly keeping up the Worship of God in their Families, and appointing the Judicatories of the Church to take good Heed that none be admitted to, or continued in, that Office, but such as are found qualified, and do behave themselves as above required. And the General Assembly 1727, in their 7th Act finding, That the Acts of Assembly made with respect to the Duties and Qualifications of Elders, are not so duly observed as they ought to be, do therefore enjoin the several Presbyteries of this Church to have strict Regard to what is required as to the Duties and Qualifications of Elders by the said 9th Act of Assembly 1722, especially in chusing Elders to represent them in General Assemblies, and in attesting the Commissions of such as are chosen, either by themselves,

by Universities, or by Royal Burghs : It is therefore highly necessary, and much for the Glory of God, the true Interest, Safety and Edification of the Church, that special Regard should be shown to these excellent Qualifications and Acts in chusing Elders, not only for the General Assembly, but also for its Commissions ; and that such as are known to be destitute thereof, should be excluded from that Honour and Trust ; which seems more especially necessary as to the Elders in the Commission, they being chosen and authorised by the Assembly itself, and, if not duly qualified, more capable to do Hurt in the Commission than in the Assembly. 3^{to}, That Elders, as well as Ministers, be required and obliged to subscribe the *Formula* of Assembly 1711, particularly such as are chosen Members of the General Assembly or its Commissions ; there being evidently Parity of Reason and Necessity, that Elders should come under the same Engagements to the Doctrine, Worship, Discipline and Government of this Church, which are required of Ministers ; especially while it is known that some of our Elders conformed to the *English Hierarchy* and Liturgy, and others discover too much Latitude, and yet are chosen Members of Assembly and Commissions. 4^{to}, That, when the Members of the Commission are named, and their Instructions prepared by the Committee, the same be appointed to be read in open Assembly, and ordered to ly on the Table, at least until the next Day of the Assembly's Meeting, to be inspected and considered by all Members who incline, that it may be the better known, that the Nomination and Instructions are conform to the ~~Acts of Synods~~, and ~~so to be voted and~~ approved, when read for that End, after a competent Time allowed for the Satisfaction of all concerned. 5^{to}, That the Moderator of the General Assembly, being a Member of the Commission, should be excused from naming the Committee appointed for revising the Commission-Book ; and that the Nomination thereof should be left to the Members of Assembly in each Synod, who were not on the Commission, and who may meet by themselves, and chuse one or two out of every Synod to be a Committee for that Effect, as is done in chusing Nominators for the Commission.

10^{mo}, Altho' the Liberty and independent Jurisdiction of Ecclesiastical on Civil Courts has ever since the Reformation been asserted and maintained by this Church, on the clearest scriptural Grounds, and has been secured to her by the Laws of the Land ; yet, of late, this has been manifestly invaded, and incroached upon by several Sists procured from Civil Judges, and offered to Presbyteries, when proceeding regularly in the Course of Ecclesiastical Processses, and that without seeking or waiting for Redress from Synods or Assemblies of any Injuries which Parties might apprehend to be done to them by the said Presbyteries ; which Practices appear very unwarrantable and offensive, discouraging and prejudicial to this Church, and may serve, if submitted to, as dangerous Precedents.

cedents, subversive of the Liberties and Jurisdiction of our Ecclesiastical Courts, and tending to subject the same to the Civil: Wherefore we humbly move this Venerable Assembly may timely interpose, in the Way they shall judge most proper and effectual, to maintain the Church's Rights, to procure Redress of such Encroachments, and to prevent the like in Time coming.

11mo, The General Assembly 1726 having remitted to their Commission an *Overture* anent the Method of Preaching, to be considered at their first Meeting; and, if they had not then Time, appointing them to remit it to a select Committee, to be by them prepared and laid before their Meeting in *August*: And the Assembly 1727 having remitted it to the Commission, to prepare the said *Overture* for the next Assembly; and this not being done, altho' there appears more and more Need for it every Day, by reason of several Innovations both in the Method and Strain of Preaching, introduced of late by some Preachers and young Ministers, very offensive to many of God's People, and no small Obstruction of spiritual Edification. Yea, a young Minister, appointed to preach before his Majesty's Commissioner to the last Assembly, had the Assurance, even on that solemn Occasion, to add to former Innovations, that of reading his Sermon openly, tho' he could not but know it would give great Offence both to Ministers and People of this Church, and bring a Reflection on the Assembly, as if they approv'd thereof. Wherefore, we humbly move, this venerable Assembly may be pleased to call for the said *Overture* from the Commission, and to prepare it so as it may prove a suitable and seasonable Remonstrance against the Evils observ'd, and transmit it to the several Presbyteries, according to Order, that it may be turned into an Act by the next Assembly, if agreed to.

12mo, As to the *Overture* and Act of the last Assembly, concerning the Method of planting vacant Churches; Altho' we account it a considerable Grievance (however well intended) not only because of several Sentences of the Commission, and some other Courts, for settling vacant Churches contrary to the Mind of Elders and Christian Congregations, and so in Opposition to the Church, both Representative and Collective, which have followed, and are said to be founded thereon; but also for many other weighty Reasons against the Act and *Overture* itself, which appear pretty obvious, and the visible dangerous Tendency thereof in the present State of this Church, especially if it should be turned into a standing Act: Yet, considering that this Representation has already swell'd beyond our Inclination, which we could not well avoid by Reason of the Variety and great Importance of the Matters therein contain'd, and that this *Overture* is transmitted to the several Presbyteries, that they may return their Opinions thereanent to this Assembly, who we doubt not will lay open what is to be objected against it to better Purpose and more effectually than we can pretend to; and seeing,

accord-

according to the 9th Act Assembly 1697, establishing the Method of passing Acts of Assembly of general Concern to the Church, The said Overture cannot be turned into a standing Act, until it appear by the Report made from the several Presbyteries, that the general Opinion of the Church agrees thereunto, which we hope is not to be expected in this Case; we judge it unnecessary to take up the Assembly's Time in representing particularly what we have to offer against this Overture, and the turning it into a standing Act : Only we cannot omit declaring on this Occasion, That we humbly conceive, by this Overture, Heritors, tho' not of our Communion, but avow'd Enemies to our Constitution, and to the Government of our only rightful and lawful Sovereign King George, and Protestant Succession in his Royal Family, and Favourers of a Popish Pretender, will have a chief Hand in settling many Congregations in *Scotland*; and that the said Overture appears to us, not to be founded on the holy Scriptures, nor consistent with the Constitution and known Principles of this Church agreeable thereto. But, to conclude, As this our Representation does not proceed from any Design in us to cause or increase Differences in this Church, nor to offend any one whose Sentiments may differ from ours, but from Conscience of Duty, as we have the Honour to bear Office in the Church of *Scotland*, and our being deeply affected with what is above represented, as appearing to us highly prejudicial to the true Interest thereof, yea, contrary to our known Principles and Constitution, to which we are bound stedfastly to adhere, by the Word of God, our solemn National Covenants, and the special Engagements we came under, at our Ordination to our respective Offices : So we earnestly intreat and hope, this venerable Assembly, which has the chief Trust anent the Concerns of this Church, and is most capable, under GOD, to redress her Grievances, will construct and accept favourably of this our humble Representation and Petition, and take such Measures, as the Lord, in his Mercy and Wisdom, shall be pleased to direct unto, for answering the Ends thereof, and remedying, not only the Grievances above represented, but also any other you may know the Church groans under, even in the remotest Corners of this Land : For which End, we desire earnestly to pray to the only King and Head of the Church, the great God our Saviour, for the plentiful Effusion and promised Conduct of his holy Spirit to this Assembly ; waiting humbly for your favourable Answer, which, if obtain'd, will cause in us, yea, many more of the Lord's Servants and People, abundant Joy and Thanksgiving on your Account.

*The above Representation and Petition was signed at Perth, February
22d, 1732, by*

George Gillespie Minister at Strathmiglo, John Gibb Minister at Cleish,
George Freer Minister at Lethendie, James Ker Minister at Dun,

John

John Drummond Minister at Crieff,
 John Currie Minister at Kinglassie,
 Robert Laing Minister at Newburgh,
 Robert Gray Minister at Brechin,
 George Meik Minister at Redgortoun,
 La. M'Intosh Minister at Errol,
 William Wilson Minister at Perth,

James Fisher Minister at Kinclaven,
 John Gow Minister at Cargil,
 Thomas Nairn Minister at Abbothall,
 John Row Minister at Navar and Lethnot,
 Alex^r. Moncrieff Minister at Abernethie,
 Thomas Mair Minister at Orwell,
 Robert Coventric Minister at Kilspindie.

*And, at Edinburgh, March 9th, Year foresaid, and the other Places
 and Dates mentioned in the original Paper, by*

John M'Claren Minister at Edinburgh,
 John Bonar Minister at Torphichen,
 Ralph Erskine Minister at Dunfermline,
 John Wardlaw Minister there,
 James Farquhar Minister at Nigg,
 Ebenezer Erskine Minister at Stirling,
 John Forbes Minister at Deer,
 Gabriel Wilson Minister at Maxton,
 William Henderson Minister at Dalgety,
 Thomas Thomson Minister at Auchtermuchty,

Alexander Hamilton Minister at Stirling,
 Charles Moor Minister there,
 William Hally Minister at Muthil,
 David Stevenson Minister at Glendovan,
 John Johnston Minister at Brechin,
 James Goodsir Minister at Monikie,
 Andrew Eliot Minister at Auchtertool,
 James Thomson Minister at Burntisland,
 Alexander Swynton of Strathore Elder,
 Thomas Trotter Elder,
 William Walker Elder.

This Representation and Petition was afterwards adhered to by

James Noble Minister at Eckford,
 George Mair Minister at New Deer,
 John Cranston Minister at Ancrum,

James Innes Minister at Mertoun,
 Henry Davidson Minister at Galashiels,
 Walter Hart Minister at Bunckie.

The above Representation and Petition being given in to the Clerk of Assembly, May 5. 1732, and afterwards read in the Committee of Bills, with a Commission subscribed by the Ministers and Elders signing the Representation, empowering Mr. George Gillespie, Mr. John Gibb, Mr. John Currie, Mr. Robert Gray, Mr. Lachlan M'Intosh, Mr. William Wilson, and Mr. Alexander Moncrieff, or any Four of them, and such others of the Subscribers of the said Representation as should be at Edinburgh the Time of the Assembly's Meeting, to present and prosecute the said Representation and Petition before the Venerable Assembly, and to do every other Thing they themselves might have done, if personally present: And the said Committee continuing to refuse to transmit the same to the General Assembly according to Order, there was a Petition offered to the Assembly, May 16. the Tenor whereof follows.

Unto the Very Reverend and Honourable, the Moderator and remanent Members of the General Assembly of the Church of Scotland, met at Edinburgh the 16th Day of May 1732 Years; The Petition of us undersubscribing,

Humbly Sheweth,

THAT an humble Representation and Petition anent Grievances, subscribed and adhered to by a considerable Number of Ministers and some Elders.

Elders, directed to this Venerable Assembly, was laid by us, according to Order, before the Reverend Committee of Bills in due Time, - with an earnest Desire, in our own Name, and in Name of all who have concurred with us in the said Representation, that the Committee might be pleased to transmit the same to the General Assembly, according to Justice; and we having dutifully and patiently attended their Meetings for some Time, renewing and insisting still in our said just and reasonable Suit, but without Success: We find ourselves now obliged to address this Venerable Assembly immediately, and earnestly to intreat you'll be pleased, in your great Goodness and Justice, to call for our said Representation and Petition, and order it to be read in your Presence, and take such Measures for redressing the Grievances therein represented, as in your great Wisdom shall be found most proper and effectual.

And your Petitioners shall ever pray.

And the General Assembly refusing to hear the said Petition, or grant the Desire thereof, Mr. George Gillespie did, in his own Name, and in Name of the Brethren after subscribing, give in the Protestation, the Tenor whereof follows; and thereupon asked, and took Instruments in the Clerk's Hand.

WE undersubscribing Ministers of this Church finding, to our great Grief, that our humble and dutiful Representation and Petition anent Grievances, offered to this General Assembly, is not received, or allowed a Hearing therein, tho' craved with all Earnestness, and in the due and orderly Way, find ourselves obliged, much against our Inclination, and with all due Diference to this Venerable Assembly, humbly to protest in our own Name, and in Name of all concurring in the said Representation, or Adhering, against the said Deed; and for Preservation of the just Rights belonging to us as Men, Christians, and Office-bearers in this Church (by the Light of Nature, Word of God, Constitutions of this Church, Claim of Right, Laws of the Land, and manifold approven Precedents since the Reformation to this Day) to have Representations and Petitions anent Grievances, which are or may be offered by ourselves or others to the General Assembly, or other Judicatories of this Church, received, openly read, and taken into serious Consideration by the said Courts for Redress; and that the Church's continuing still under the Grievances specified in our Representation, and others of the like Nature, shall be nowise chargeable on us: And we humbly crave this may be recorded in the Assembly's Register, and Extracts allowed to us, for Exoneration.

James Noble Minister at Eckford,
John M'Claren Minister at Edinburgh,
Geo. Gillespie Minister at Strathmiglo.
John Gibb Minister at Cleish,
John Currie Minister at Kinglassie,
John Gow Minister at Cargill,
Gabriel Wilson Minister at Maxton,
Tho. Thomson Min'r. at Auchtermuchtie,

Robert Gray Minister at Brechin,
William Wilson Minister at Perth,
Alex. Moncrieff Minister at Abernethie,
Ebenezer Erskine Minister at Stirling,
Ralph Erskine Minister at Dunfermline,
John Ker Minister at Dun,
Thomas Mair Minister at Orwell.

F I N I S.



